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United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Wildlife
Services

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September 29, 2005

Decision and Finding of No Significant Impact

Bird Damage Management to Protect Property, Livestock and Human Health and Safety in Oregon

1.0 Introduction

The United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Services program (WS), in cooperation with Oregon Department of Fish and Wildlife (ODFW), Oregon Department of Agriculture (ODA), and Oregon Department of Human Services (ODHS) has prepared an Environmental Assessment (EA) (August 22, 2005) that analyzed potential impacts of a proposed program and alternatives to alleviate problems caused by birds. Birds cause damage by congregating in large numbers to feed on livestock feeds, threaten aircraft safety, deface property, and create a potential for disease transmission. Based on a review of the EA, the Proposed Action was selected based on a Finding of No Significant Impact (FONSI).

The purpose of the selected action is to alleviate damages caused by non protected, non-native European Starlings (*Sturnus vulgaris*), pigeons (also known as feral pigeons or rock doves) (*Columba livia*), and house sparrows (also called English sparrows) (*Passer domesticus*). Other birds included within the scope of analysis in the EA may be taken under a depredation order 50 Code of Federal Regulations (CFR) §21.43 without a Federal permit are red-winged blackbirds (*Agelaius phoeniceus*), Brewer's blackbirds (*Euphagus cyanocephalus*), and brown-headed cowbirds (*Molothrus ater*), and American crows (*Corvus brachyrhynchos*).

The EA evaluated ways by which bird damage management can be carried out to protect property, livestock, and human health and safety. The current program occurs in Morrow, Umatilla, Malheur, Deschutes, Douglas, Lane, Tillamook, Yamhill, Polk, Linn, Benton, Marion, Clatsop, Columbia, Washington, Crook, Harney, Klamath, Gilliam, and Wallowa Counties. The proposed action may include new counties in Oregon where assistance is requested.

2.0 Issues

The following issues were identified during the public involvement process as being relevant and were used to drive the analysis and compare the impacts of the alternatives: primary and secondary hazards of DRC-1339 on the environment; views of the humaneness of the alternatives; potential to affect non-target species, including threatened and endangered species; concerns for

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the aesthetic value of birds; effectiveness of the alternatives in reducing threats and damages; and impact on target species populations.

3.0 Decision and Rationale

Wildlife Services developed the alternative courses of action (Alternatives) with input from the cooperating agencies and the public. The alternatives were analyzed in the EA against the issues noted above. A summary of the impacts and the reasons for selecting or not selecting the alternatives is discussed.

3.1 Alternative 1: Proposed Action (No Action Alternative)

I herein adopt the Proposed Action, Alternative 1 because it would implement an integrated bird damage management program that would provide the greatest flexibility and results at dairies, feedlots, landfills, airports and other properties to reduce or prevent damages. The proposed action would identify the wildlife causing the damage, and use the most effective, selective, and humane tools available to deter or remove the species that are causing the damage. A combination of non-lethal and lethal tools described in the EA will be available. Damage management will be directed toward individuals and localized populations of the species listed in Section 1 of this FONSI and in the EA. The EA concluded that the proposed action would be the most effective of the alternatives considered; have no overall impact on target species populations, non-target species, and no impact on threatened and endangered species; that the proposed methods are used in accordance with EPA label requirements to minimize hazards to non-target animals and has negligible impacts on the environment; were considered humane under the constraints of the program (although subjective); and would have minor aesthetic visual impacts on some people (subjective).

3.2 Alternative 2: Technical Assistance Only (No Operational WS Program)

Alternative 2 would result in WS providing technical assistance (self help) information which might include education, recommendations or some training. The individual requesting assistance would manage the problem themselves. This Alternative was not selected because it was determined that it would most likely provide less benefit than Alternative 1. Operational management methods may be applied by people with little or no experience or knowledge in wildlife management or the humane treatment of animals. The toxicant DRC-1339 would not be used therefore not creating any potential hazards to the environment. Wildlife Services would not impact target species, non-target (including threatened or endangered species) or aesthetic values. This alternative would be the least effective of the alternatives. The perception of humaneness would be subjective.

3.3 Alternative 3: Nonlethal Methods Only

Alternative 3 was designed to protect the welfare of individual animals if possible, by considering nonlethal methods only. The impacts of this Alternative on target and non-target species,

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recreation; humaneness, and cumulative impacts were found to be similar to Alternative 2. This Alternative was not selected because it was determined that it would provide less benefit than Alternative 1. Property managers would decide what methods should be utilized and may apply management methods themselves. Target species in the EA are either non-protected or fall under the Depredation Order which states that no federal permit is required by anyone to remove them if they are committing or about to commit depredations upon agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. Property owners may use lethal management techniques on their own.

4.0 Public Involvement

Wildlife Services developed a letter describing the need for action, and the preliminary alternatives and issues, which invited public participation into the preparation of the EA. The invitation for public involvement was sent to 87 groups who had either expressed an interest in Wildlife Service's activities, or who were thought to be potentially interested. All responses to the invitation for public involvement were considered in the development of the EA. The pre-decisional EA and a request for comments were sent to everyone who provided comments or expressed an interest in the EA during any phase of the EA process. Legal notices of availability for public review of the EA and an invitation to provide comments were published in the Oregonian (8/10/05), Salem Statesmen Journal (8/10/05), Bend Bulletin (8/11/05) and Tillamook Headlight Herald (8/17/05).

Public comments were reviewed carefully and considered in light of the analysis in the EA. The EA incorporated all substantive comments received from the preliminary invitation for public involvement.

This Decision Notice and FONSI is being mailed to all people who have provided input or expressed interest during any phase of the EA process. In addition, a notice of this decision and FONSI will be published in the newspapers identified above.

5.0 Finding of No Significant Impact

A careful review of the EA indicates that there will not be a significant impact on the quality of the human environment as a result of this proposal. I agree with this conclusion, and therefore, determine that an Environmental Impact Statement (EIS) will not be prepared. This determination is based on consideration of the following factors:

1. The proposed activities may occur on dairies, feedlots, landfills, airports and other property in Oregon in localized areas. The proposed actions are not national or regional in scope.
2. The proposed activities will not have a negative impact on human health and safety. The methods used to control the target species are highly target specific. Lethal damage management methods will not be used in areas where the public is likely to be exposed.

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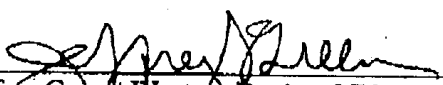
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3. The proposed activities will not have impact on unique characteristics of the geographic area such as historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas. The nature of the methods proposed for alleviating damages are not likely to affect the physical environment.
4. The possible effects of the proposed activities on the quality of the human environment are not highly uncertain and do not involve unique or unknown risks.
5. The proposed activities do not establish a precedent for actions with future significant effects or represent a decision in principle about future consideration.
6. There are no significant cumulative effects identified by this assessment. All wildlife removal will stay within management guidelines set for each species. The impacts on each species when combined with other known sources of mortality are expected to have a low to negligible impact based on the available information.
7. The proposed activities will not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor will these activities cause the loss or destruction of significant scientific, cultural, or historical resources.
8. The proposed activities will fully comply with the Endangered Species act of 1973, as amended. Wildlife Services has determined that the proposed action would have no effect on Federally or State listed threatened and endangered species.
9. There are no irreversible or irretrievable resource commitments identified by this assessment, except for a minor consumption of fossil fuels for routine operations.
10. The proposed activities will not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

For additional information concerning this decision, please contact:

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Approved by:


Jeffrey Green, Western Regional Director
USDA-APHIS Wildlife Services

10/3/05
Date